JNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	•
MARK RODRIGUEZ,	•

Plaintiff,

-against-

STIPULATION
DISCONTINUING ACTION

THE LONG ISLAND RAIL ROAD,

Case No. CV 05 2578 (ARR)(CLP)

Defendant. -----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, attorneys of record for all the parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Wantagh, New York February 2, 2006

PATRICK J. MULHERN, JR. (PJM4720)

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SEAN P. CONSTABLÉ (SPC3472) MARY JENNINGS MAHON, ESQ.

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SO ORDERED:

3/15/06